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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,679	05/02/2001	David S. Parkman	7784-000211	4807
7590 08/24/2004				
Mark D. Elchuk Harness Dickey & Pierce P.L.C. P.O. Box 828 Bloomfield Hills, MI 48303		EXAMINER TRAN, ELLEN C		
		ART UNIT PAPER NUMBER 2134		

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/847,679

Applicant(s)

PARKMAN, DAVID S.

Examiner

Ellen C Tran

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

NORMAN M. WRIGHT
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communication: original application filed 02 May 2001, with acknowledgement of pre-amendment received 23 May 2003.
2. Claims 1-18 are currently pending in this application. Claims 1, 3, 5, 7, 9, 11, 13, 15, and 17 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language

4. **Claims 1-18** are rejected under 35 U.S.C. 102(e) as being anticipated by Reeder et al. U.S. Patent No. 6,539,007 (hereinafter '007).

As to independent claim 1, **“A system for transmitting an authorization message to a mobile platform comprising:”** is taught in '007 col. 5, lines 39-43 (i.e. “authorization” same as “control”/ “ground station” same as “BTS”/“platform” same as “unit”);

“at least one ground station having transmit equipment, the transmit equipment” is shown in col. 4, line 62 through col. 5, line 3;

“further comprising a path having a unique address; and at least one transponder that transmits data to the mobile platform; and wherein when the

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transmit equipment transmits the unique address in a signal to the mobile platform via the transponder, the unique address serves as the authorization message” is disclosed in ‘007 col. 5, lines 39-45 (i.e. “unique address” same as “control channel”);

“wherein the signal is transmitted to the mobile platform at least approximately every thirty seconds” is taught in col. 5, lines 26-34 (“thirty seconds” same as “specified frequency”).

As to dependent claim 2, **“wherein the transponder is on a satellite”** is taught in ‘007 col. 5, lines 1-3.

As to independent claim 3, **“A system for transmitting an authorization message to a mobile platform comprising:”** is taught in ‘007 col. 5, lines 39-43;

“at least one ground station having transmit equipment” is shown in col. 4, line 62 through col. 5, line 3;

“the transmit equipment comprising return link assignments; and at least one transponder that transmits data to the mobile platform; wherein when the transmit equipment transmits the return link assignment in a signal to the mobile platform via the transponder, the return link assignment serves as the authorization message” is disclosed in col. 5, lines 39-48 (i.e. “return link assignment” same as “reverse control channel”);

“wherein the signal is transmitted to the mobile platform at least approximately every thirty seconds” is taught in col. 5, lines 26-34.

As to independent claim 5, **“A system for transmitting an authorization message to a mobile platform comprising”** is shown in ‘007 col. 5, lines 39-43;

“at least one ground station having transmit equipment, the transmit equipment” is disclosed in col. 4, line 62 through col. 5, line 3;

“further comprising a path having a unique address and return link assignments; and at least one transponder that transmits data to the mobile platform; and wherein the transmit equipment combines the unique address and the return link assignment into a single signal that serves as the authorization message” is disclosed in col. 5, lines 39-48;

“and wherein the single signal is transmitted to the mobile platform at least approximately every thirty seconds” is taught in col. 5, lines 26-34.

As to dependent claims 4 and 6, these claims contain subject matter that is substantially similar to claim 2 and are rejected along the same rationale.

As to independent claim 7, **“A method for transmitting an authorization message from a ground station to a mobile platform, the method comprising the steps of: (a) transmitting a signal comprising a unique address from a ground station to a mobile platform via a transponder; (b) using the unique address as the authorization message”** is shown in ‘007 col. 5, lines 39-48;

“(c) transmitting the signal to the mobile platform repeatedly at a predetermined interval; and” is taught in col. 5, lines 26-34 (i.e. “predetermined interval” same as “time slot”);

“(d) using the authorization message to authorize the mobile system to continue transmitting for a predefined time period after receiving the authorization message” is shown in ‘007 col. 8, line 53 through col. 9, line 10 (The “pre-defined time period” is inherent in the ID information for which authorization to access the wireless

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network is provided. Well known in the art would be pre-paid calling cards or mobile phones).

As to dependent claim 8, “wherein the transponder is on a satellite” is taught in ‘007 col. 5, lines 1-3.

As to independent claim 9, “A method for transmitting an authorization message from a ground station to a mobile platform, the method comprising the steps of: (a) transmitting a signal comprising a return link assignment from a ground station to a mobile platform via a transponder; using the return link assignment as the authorization message” is shown in ‘007 col. 5, lines 39-48;

“(c) transmitting the signal to the mobile platform at a predetermined interval; and” is taught in col. 5, lines 26-34;

“(d) using the authorization to authorize the mobile system to continue transmitting for a predefined time period after receiving the authorization message” is shown in ‘007 col. 8, line 53 through col. 9, line 10.

As to independent claim 11, “A method for transmitting an authorization message from a ground station to a mobile platform, the method comprising the steps of: (a) embedding a return link assignment within a signal comprising a unique address; (b) transmitting the signal comprising the unique address and the return link assignment from a ground station to a mobile platform via a transponder” is shown in ‘007 col. 5, lines 39-48;

“(c) using the return link assignment to transmit to the mobile platform with the unique address signal at least approximately every thirty seconds; and” is taught in col. 5, lines 26-34;

“(d) using the authorization message to authorize the mobile system to continue transmitting for a predefined time period after receiving the authorization message” is shown in ‘007 col. 8, line 53 through col. 9, line 10.

As to independent claim 13, **“A method for transmitting an authorization message from a ground station to a mobile platform, the method comprising the steps of:”** is taught in ‘007 col. 5, lines 39-43 (i.e. “authorization” same as “control”, “ground station” same as “BTS”, “platform” same as “unit”);

“(a) activating a link manager to communicate with a routing unit that provides communication between the ground station and the mobile platform via transmitting equipment” is shown in ‘007 col. 4, line 62 through col. 5, line 3;

“(b) determining a path having a unique address used as the authorization message; (c) transmitting a signal comprising the unique address from the transmitting equipment to the mobile platform” is disclosed in ‘007 col. 5, lines 39-43 (i.e. “unique address” same as “control channel”)

“at a predetermined interval via a transponder; and” is taught in ‘007 col. 5, lines 26-34 (“predetermined interval” same as “time slot”);

“(d) using the authorization message to authorize the mobile system to continue transmitting for a predefined time period after receiving the authorization message” is disclosed in ‘007 col. 8, line 53 through col. 9, line 10 (The “pre-defined time period” is inherent in the ID information for which authorization to access the wireless network is provided. Well known in the art would be pre-paid calling cards or mobile phones).

As to independent claim 15, **“A method for transmitting an authorization message from a ground station to a mobile platform, the method comprising the steps of: (a) activating a link manager to communicate with a routing unit that provides communication”** is taught in ‘007 col. 5, lines 39-43;

“between the ground station and the mobile platform via transmitting equipment” is shown in col. 4, line 62 through col. 5, line 3;

“(b) determining a path having a return link assignment used as the authorization message” is disclosed in ‘007 col. 5, lines 39-45;

“(c) transmitting a signal comprising the unique address from the transmitting equipment to the mobile platform at a predetermined interval via a transponder; and” is taught in col. 5, lines 26-34;

“(d) using the authorization message to authorize the mobile system to continue transmitting for a predefined time period after receiving the authorization message” is disclosed in ‘007 col. 8, line 53 through col. 9, line 10.

As to independent claim 17, **“A method for transmitting an authorization message from a ground station to a mobile platform, the method comprising the steps of:”** is taught in ‘007 col. 5, lines 39-43;

“(a) activating a link manager to communicate with a routing unit that provides communication between the ground station and the mobile platform via transmitting equipment” is shown in col. 4, line 62 through col. 5, line 3;

“(b) determining a path having a unique address and a return link assignment used as the authorization message” is disclosed in ‘007 col. 5, lines 39-45

“(c) transmitting a signal comprising the unique address from the transmitting equipment to the mobile platform at a predetermined interval via a transponder; and” is taught in col. 5, lines 26-34;

“(d) using the authorization message to authorize the mobile system to continue transmitting for a predefined time period after receiving the authorization message” is disclosed in ‘007 col. 8, line 53 through col. 9, line 10.

As to independent claims 1, 3, 5, 7, 9, 11, 15, and 17 these claims contain subject matter that is substantially similar to the method of claim 13 and are rejected along the same rationale.

As to dependent claims 10, 14, 16, and 18 these claims contain subject matter that is substantially similar to claim 8 and are rejected along the same rationale.

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Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Modzelsky et al. U.S. Patent No. 6,529,731 issued 03/04/2003

Parkman U.S. Patent No. 6,757,535 issued 06/29/2004

Parkman U.S. Patent No. 6,778,825 issued 08/17/2004

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (703) 305-8917. **"After mid-Oct, 2004, the examiner can be reach at (571) 272-3842"**. The examiner can normally be reached on 6:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A Morse can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ellen Tran
Patent Examiner
Technology Center 2134
17 August 2004


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PRIMARY EXAMINER